

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RONNIE MIDNIGHT THURMAN, ) 8:13CV61  
 )  
Petitioner, )  
 )  
v. ) **MEMORANDUM  
AND ORDER**  
 )  
 )  
 )  
Respondent. )

This matter is before the court on its own motion. Petitioner Ronnie Midnight Thurman (“Petitioner”) provisionally filed his Petition for Writ of Habeas Corpus (“Petition”) on February 22, 2013. (Filing No. [1](#).) Due to certain technical defects, the Petition cannot be further processed. To assure further consideration of the Petition, Petitioner must correct the defects listed below. **FAILURE TO CORRECT THESE DEFECTS WILL RESULT IN DISMISSAL OF THE PETITION.**

Petitioner has failed to include the \$5.00 filing fee. Petitioner has the choice of either tendering the \$5.00 fee to the Clerk of the court or submitting a request to proceed in forma pauperis and an affidavit of poverty in support thereof. If Petitioner chooses to do the latter, the enclosed pauper’s forms should be completed and returned to this court.

In addition, Petitioner has not identified any respondent in his Petition. Therefore, the pending Petition is insufficient and the court will not act upon it. In order for this matter to proceed, Petitioner must file an amended petition for writ of habeas corpus in which he identifies the respondent(s).

IT IS THEREFORE ORDERED that:

1. Petitioner is directed to correct the above-listed technical defects within 30 days of the date of this Memorandum and Order. Failure to comply with this Memorandum and Order will result in dismissal of this matter without further notice.
2. The Clerk of the court is directed to send to Petitioner the Form AO241 ("Petition for Relief From a Conviction or Sentence By a Person in State Custody") and the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").
3. The Clerk of the court is directed to set a pro se case management deadline in this matter with the following text: April 22, 2013: Check for MIFP or payment and amended petition.

DATED this 21<sup>st</sup> day of March, 2013.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge

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